

REMARKS

This is in full and timely response to the non-final Office Action dated August 9, 2004 (Paper No. 6). The present amendment amends claims 1 and 18 in order to further clarify a portion of the scope sought to be patented, and otherwise disputes certain findings of fact made in connection with the rejection of the claims. Support for these amendments can be found variously throughout the specification, including, for example, page 23, lines 4-20. No new matter has been added. Accordingly, claims 1 to 21 are presently pending in the application, each of which are believed to be in condition for allowance. Reexamination and reconsideration in light of the present amendment and the following remarks are respectfully requested.

Allowable Subject Matter:

The Applicant thanks the examiner for recognizing claim 15 as containing allowable subject matter. In addition, the Applicant notes that claim 13 appears to be allowable, in that no rejection has been applied to this claim.

Claim Rejections- 35 U.S.C. § 102

In the Action, claims 1-4 and 18 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,327,306 to Sugiyama. ("Sugiyama"). This rejection is respectfully traversed.

Independent claim 1 recites a picture information converting apparatus comprising, *inter alia*, synthesis means for synthesizing second activity information of a pixel block constituting a frame of output compressed picture information using first activity information constituting a frame of input compressed picture information and calculating third activity information based on the average value of the second activity information; and encoding means for encoding using the third activity information as a parameter of adaptive quantization at a time of compression in the second compression encoding system.

Independent claim 18 recites a picture information converting method for converting interlaced scanned input compressed picture information, comprising the steps of, *inter alia*, synthesizing second activity information of a pixel block constituting a frame of the output compressed picture information using first activity information constituting a frame of the input compressed picture information and calculating third activity information based on the average

value of the second activity information; and encoding using the third activity information as a parameter of adaptive quantization at a time of compression in the second compression encoding system.

As explained on page 23, lines 4-20, in certain embodiments of the present application activity synthesis unit 15 calculates third activity information such as, for example, normalized activity information $Nact_j$, based on the average value of second activity information such as, for example, Avg_act . See, e.g., steps S22-S24 in Fig. 5. In at least one embodiment, this third activity information is calculated based on equation 16, disclosed on page 23 of the specification and recited in claim 15. Such an operation allows the present invention to avoid some of the computationally-intensive operations common in conventional apparatuses and methods, thereby reducing the overall processing volume required. See, e.g., page 24, lines 7-11.

In contrast, although Sugiyama arguably discloses decimating an interlaced image signal to convert this interlaced image signal into a first progressive image signal, Sugiyama fails to disclose, teach or suggest calculating third activity information, such as normalized activity information, based on the average value of second activity information and encoding this third activity information as a parameter of adaptive quantization at a time of compression in the second compression encoding system, as is recited in claims 1 and 18 of the present invention.

Accordingly, because Sugiyama fails to disclose, teach or suggest each and every limitation of claims 1 and 18, a *prima facie* rejection has not been established, and withdrawal of this rejection is respectfully requested. See, e.g., *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”).

Moreover, aside from the novel limitations recited therein, claims 2-4, being dependent either directly or indirectly upon allowable base claim 1, are also allowable for at least the reasons set forth above. Withdrawal of the rejection of these claims is therefore courteously solicited.

Claim Rejections- 35 U.S.C. § 103

In the Action, claim 5 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugiyama in view of U.S. Patent No. 6,167,088 to Sethuraman

("Sethuraman"), claims 6-12, 17 and 19-21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugiyama in view of U.S. Patent No. 5,565,921 to Sasaki et al.

("Sasaki"), and claims 14 and 16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugiyama in view of Sasaki and further in view of U.S. Patent No. 6,590,936 to Kadano ("Kadano"). These rejections are respectfully traversed.

Aside from the novel limitations recited therein, claims 5-12, 14, 16, 17 and 19-21, being dependent either directly or indirectly upon allowable base claims 1 and 18, are allowable for at least the reasons set forth above with respect to the rejections of claims 1 and 18. Withdrawal of the rejection of these claims is therefore courteously solicited.

Conclusion

For at least the foregoing reasons, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the examiner is respectfully requested to pass this application to issue. If the examiner has any comments or suggestions that could place this application in even better form, the examiner is invited to telephone the undersigned attorney at the below-listed number.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2107, from which the undersigned is authorized to draw.

Dated: *DEC. 6, 2004*

Respectfully submitted,

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